IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
W.P.NO.1617 OF 2006

M/s.N.R.Design Centre (P) Ltd. ..Petitioners

Vs.

The State of Maharashtra and Anr. ..Respondents

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Mr.Ashok M.Saraogi Advocate for Petitioner
Mrs.M.Kajale AGP for Respondents

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CORAM: F.I.REBELLO AND
SMT.V.K.TAHILRAMANI,JJ.
DATE : JUNE 22, 2006

P.C.

1. It is the case of the petitioners that they are not parties to the dispute and consequently, the action by way of Demand Certificate issued on the petitioners by the Office of the District Collector, Mumbai in respect of the Certificate issued by the Presiding Officer, Labour Court at Rajkot, is without jurisdiction.

2. On the other hand, on behalf of Respondent No.1, the learned counsel has produced record. The record shows that Certificate has been issued by the Presiding Officer, Labour Court at Rajkot in the name of "N.R.Design, Centre Pvt. Ltd.,

222/Carel/Lane 10/Dr.Vigarh Street,Mumbai-2". The name of the petitioner is very much shown therein. The contention of the petitioners is that they are not the parties in the proceedings, if that be the case, the proper steps on the part of the petitioners, would be, to move the Labour Court at Rajkot who had issued the order, for appropriate relief. Considering that, the petitioners will have to move the Labour Court at Rajkot. Respondent No.1 not to act based on the Certificate for a period of six weeks from today. It is made clear that in the meantime, if the Labour Court at Rajkot, does not grant any relief in favour of the petitioners, including by way of interim relief, respondent no.1 is bound to execute the Certificate. It is also made clear that it is for the petitioners to decide what forum they propose to approach to challenge the order of the Labour Court.

. With the above observation, the petition stands disposed of.

[F.I.REBELLO, J.]

[SMT.V.K.TAHILRAMANI,J.]